



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,777	09/25/2003	Kuniko Yamasaki	C14-161743M/ISI	4359

21254 7590 11/19/2007  
MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC  
8321 OLD COURTHOUSE ROAD  
SUITE 200  
VIENNA, VA 22182-3817

EXAMINER
----------

MUHAMMED, ABDUKADER S

ART UNIT	PAPER NUMBER
----------	--------------

2627

MAIL DATE	DELIVERY MODE
-----------	---------------

11/19/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/669,777	Applicant(s) YAMASAKI ET AL.	
	Examiner Abdukader Muhammed	Art Unit 2627	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 October 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4 and 8-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4 and 8-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The amendment filed on 01 October 2007 is acknowledged. Claims 2, 3, 5-7, and 14-17 have been canceled. Claims 1, 4 and 8-13 are pending in the application.

Applicants' amendment overcomes the objections to the specification and the claims made in the office action mailed on 02 July 2007.

2. After further review it is found that the indication of allowability of claim 7 (which is now incorporated in the independent claim 1) in the Office Action mailed on 02 July 2007 is improper. In order to give the applicants the best possible patent protection it is necessary to issue an office action that includes a new ground of rejection.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1, 4 and 8-13 are rejected under 35 U.S.C. 102(a) as being anticipated by Kobata et al. (US 6,845,308 B2).

Regarding Claims 1 and 8, Kobata et al. teach a play-back device comprising: A play-back device comprising: a plurality of play-back sources (cassette player, CD player, DVD player and radio tuner; see figure 1 and column 3, lines 29-35); a plurality of output units for outputting the play-back signals from the individual play-back sources (rear and front speakers 3,4,5, and 6; headphones 7 and 8; see figures 1 and column 3, lines 19-24); a selecting unit for selecting at least one of the play-back sources (first and second switching circuits 18 and 19; see

Art Unit: 2627

figure 1 and column 3, lines 34-38); and a control unit (microcomputer 21, see figure 1 and column 3, lines 38-44) for controlling the selecting unit so as to select the at least one of the play-back sources for outputting the play-back signals to be outputted to the output units, in response to an operation. Note that Kobata et al. also teach in dual play mode the control unit checks if the tuner is producing only one broadcast signal and inhibits a selection of multiple broadcasting (see column 5, lines 13-17), and wherein the control unit selectively executes a play-back mode skipping operation when the selection inhibiting unit inhibits the selection and changes to the at least one of the play-back sources relating to the operation and the control unit determines whether the playback mode skipping operation is accompanied by a band change from a front side of the playback device (the mode of the source currently selected by the front or rear controller cannot be changed by a source switching operation or a mode switching operation [which shows a skipping operation is performed] in accordance with the last memory of the rear or front controller; see column 2, lines 50-55. Kobata et al. also disclose the on-vehicle audio video control device in which the currently used mode does not follow another mode stored in the last memory and cannot be changed upon an operation by the front or rear controller; see column 2, lines 56-60).

Regarding Claim 4, as applied to claim 1 above and Kobata et al. further teach that one of the output units is a speaker (rear and front speakers 3,4,5, and 6; see figures 1 and column 3, lines 19-24), and at least one of the output units is a headphone (headphones 7 and 8; see figures 1 and column 3, lines 19-24).

Regarding claims 9 and 13, as applied to claim 1 above and Kobata et al. further teach that the control unit controls the selecting unit to output the play-back signals in one of a single

Art Unit: 2627

mode and a dual mode (the microcomputer 21 controls the selection either in dual mode for example CD and radio or single mode by controlling the First and second switching circuits 18 and 19; see figure 1 and abstract lines 3-5 and also the discussion in column 3, line 29 through column 4, line 53 for details).

Regarding claims 10, as applied to claim 1 above, and Kobata et al. further teach that the play-back device comprising a front operation unit and a rear operation unit (front controller 1 mounted on an instrument panel and a rear controller 2 is provided in the rear part of the cabin; see column 3, lines 15-19 and figure 1).

Regarding claims 11 and 12, as applied to claims 10 and 9 above, respectively, and Kobata et al. further teach that the selection inhibiting unit inhibits the selection and change to the at least one of the play-back sources relating to an operation from the rear operation unit (if the rear controller is in FM1 mode and if the front controller is changed from CD player to AM (its last memory), the front controller is inhibited from changing the rear controller to AM instead FM1 is set for both the front and the rear controllers; see column 5, lines 20-53 and also for details see the answer given above for the applicants' argument).

### *Conclusion*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdukader Muhammed whose telephone number is (571) 270-1226. The examiner can normally be reached on Monday-Thursday 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on (571) 272-7023. Customer Service can be reached

Art Unit: 2627

at (571) 272-2600. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*am*

am

02 November 2007



DWAYNE BOST  
SUPERVISORY PATENT EXAMINER